

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,

Plaintiff,

v.

AT&T SERVICES INC.; AT&T MOBILITY
LLC; and AT&T CORP.,

Defendants,

NOKIA OF AMERICA CORPORATION and
ERICSSON INC.,

Intervenors.

Case No. 2:23-cv-00202-JRG-RSP
(Lead Case)

JURY TRIAL DEMANDED

**PLAINTIFF’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANTS’ OPPOSED MOTION (ECF NO. 123)**

Pursuant to Fed. R. Civ. P. 6(b)(1) and Local Rule CV-7(e), Plaintiff XR Communications, LLC dba Vivato Technologies (“Plaintiff” or “Vivato”) hereby moves to extend the time for Plaintiff to respond to the Opposed Motion for Leave to Supplement Invalidity Contentions (ECF No. 123) from January 10, 2025 to January 17, 2025. The Opposed Motion (ECF No. 123) was filed by Defendants AT&T Services, Inc., AT&T Mobility LLC, AT&T Corp. (collectively, “AT&T”), Verizon Communications Inc. and Cellco Partnership d/b/a Verizon Wireless (collectively, “Verizon”), and T-Mobile USA, Inc. (“T-Mobile”) (collectively with AT&T and Verizon, “Defendants”). There is good cause for this request because the current deadline falls just after several holidays. Moreover, during the parties’ lead and local meet and confer relating to the issues identified in Defendants’ Motion, the parties agreed to one-week extensions of time to respond to any motions filed on issues discussed during the meet and confer. Moreover, the current deadline falls during a week in which counsel for Plaintiff, including lead and local counsel, are

currently scheduled to travel to Texas for a mediation on January 7, 2025 and to remain in Marshall all week to prepare for trial set for January 13, 2025 in *Headwater Research LLC v. Samsung Elec's Co. Ltd. et al.*, Case No. 2:22-cv-422-JRG-RSP.

This extension is not requested for the purposes of delay. Defendants/Intervenors do not oppose the requested extension.

For this reason, Plaintiff respectfully requests that the Court grant this unopposed extension and extend the deadline to respond to the Opposed Motion (ECF No. 123) to and through January 17, 2025.

Dated: December 30, 2024

Respectfully submitted,

/s/ Reza Mirzaie

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CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for the Parties met and conferred to discuss the substantive issues addressed in this Motion pursuant to Local Rule CV-7(h). Defendants/Intervenors do not oppose this request.

/s/ Reza Mirzaie
Reza Mirzaie

CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on December 30, 2024.

/s/ Reza Mirzaie
Reza Mirzaie